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AT 8:30 M
WILLIAM T. WALSH
CLERK

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ELAINE L. CHAO, Secretary of Labor, :
United States Department of Labor, :

Plaintiff, :

v. :

NEW JERSEY LICENSED BEVERAGE :
ASSOCIATION, INC.; MELVIN GITLER; :
ROBERT SCERBO; PHIL CITTA; WILLIAM :
CLEARY; ROBERT MARCIANI; JOSEPH :
ARDIRE; RICHARD BELLSHOT; JAMES :
HILL; MICHAEL MARSH; LEWIS :
ROTHBART; FRANK ZANOTTI; ANN :
SMULEWICZ; RANDY NORMAND; MARY :
ROENICK aka MARY RAHMIG; :
STEPHEN DI TOMASSO; :
MIDLANTIC HEALTHCARE, INC.; :
NEW JERSEY LICENSED BEVERAGE :
ASSOCIATION EMPLOYEE WELFARE :
BENEFIT PLAN, :

Defendants. :

Civil Action File

No. 04-5692 (JAP)

RULE 67 ORDER

 NEW JERSEY LICENSED BEVERAGE :
 ASSOCIATION, INC.; NEW JERSEY :
 LICENSED BEVERAGE ASSOCIATION :
 EMPLOYEE BENEFIT PLAN; MELVIN :
 GITLER; ROBERT SCERBO; PHIL CITTA; :
 WILLIAM CLEARY; ROBERT MARCIANI; :
 JOSEPH ARDIRE; RICHARD BELLSHOT; :
 JAMES HILL; MICHAEL MARSII; LEWIS :
 ROTHBART; FRANK ZANOTTI; ANN :
 SMULEWICZ; RANDY NORMAND; :
 MARY ROENICK aka MARY RAHMIG, :

Third-Party Plaintiffs, :

v. :

RECREATIONAL COVERAGE :
 ASSOCIATION, INC.; RECREATIONAL :
 COVERAGE ASSOCIATION OF NEW :
 JERSEY, INC.; HORIZON HEALTHCARE :
 SYSTEMS; NATIONAL BENEFITS :
 ADMINISTRATORS; INTERNATIONAL :
 RISK CONSULTANTS; IMMS/STARLINE :
 GROUP, :

Third-Party Defendants. :

 STEPHEN DI TOMASSO; MIDLANTIC :
 HEALTHCARE, INC., :

Third-Party Plaintiffs, :

v. :

HORIZON HEALTHCARE SYSTEMS; :
 NATIONAL BENEFITS ADMINISTRATORS; :
 INTERNATIONAL RISK CONSULTANTS; :
 IMMS/STARLINE GROUP; XYZ CORPS :
 1-10 (said names being fictitious); and :
 JOHN DOES 1-10 (said names being fictitious) :

Third-Party Defendants. :

PLEASE TAKE NOTICE that:

I. The Plaintiff Secretary of Labor having brought this Motion to Deposit Sum of Money with the Court pursuant to Federal Rule Civil Procedure 67 and Local Civil Rule 67.1; and,

II. The Defendant Midlantic Healthcare, Inc. having agreed to pay the sum of \$600,000 ("the sum") pursuant to a Consent Judgment resolving the above-captioned matter; and,

III. The parties desiring the safekeeping of said sum pending the implementation of the Consent Judgment's provisions; and,

IV. This Court having given this Motion careful consideration;

NOW, THEREFORE, It is on this 5th day of Feb, 2007:

ORDERED that the Motion to Deposit Sum of Money with the Court shall be, and is hereby, granted; and it is

FURTHER ORDERED that such sum, to wit, \$600,000.00 dollars, be deposited by the Clerk into the Registry of this Court and then, as soon as the business of his or her office allow, the Clerk shall deposit these funds into the interest-bearing Court Registry Investment System (C.R.I.S.) administered by the Clerk of the United States District Court for the Southern District of Texas as Custodian, pursuant to L.Civ.R. 67.1(a)(2); and it is

FURTHER ORDERED that sum of money so invested in the interest-bearing C.R.I.S. fund shall remain on deposit until further order of this Court at which time the funds, together with interest thereon, shall be retrieved by the Clerk and redeposited into the non-interest-bearing Registry of the Court for disposition pursuant to the further order of the Court; and it is

FURTHER ORDERED that the Custodian deduct a miscellaneous schedule fee for the handling of registry funds, as authorized by the Judicial Conference of the United States and the

Standing Order of this Court dated June 30, 1989 as amended November 30, 1990, of 10% of the income earned on this account and each subsequent deposit on new principal so deposited while invested in the C.R.I.S.; and it is

FURTHER ORDERED that a certified copy of this Order shall be by the Counsel for Plaintiff personally served upon the Clerk of this Court, the Chief Deputy Clerk, or upon the Chief Financial Deputy Clerk.

DATED: Feb 5, 2007
Trenton, New Jersey

SO ORDERED:



JOEL A. PISANO
UNITED STATES DISTRICT JUDGE